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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application

APPLICANT: MATEU CLIMENT, Salvador

SERIAL NO.: 10/597,891

FILED: February 10, 2004

TITLE: STRUCTURAL ARRANGEMENT WHICH ASSISTS RAPID FIRE
LOAD COMBUSTION AND SMOKE AND GAS EVACUATION

DOCKET NO. : 1629-4

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING UNDER 37 CFR 1.8(a)

I hereby certify that the attached **INFORMATION DISCLOSURE STATEMENT** is being e-filed or first-class mailed to:

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

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Date


John S. Egbert/Andrew W. Chu

List of Sections Forming Part of This Information Disclosure Statement

The following sections are being submitted for this Information Disclosure Statement:

- ☐ ☒
- 1. ☒ Preliminary Statements
- 2. ☒ FORMS PTO/SB/08A and 08B (formerly FORM PTO-1449)
- 3. ☐ Statement as to Information Not Found in Patents or Publications
- 4. ☐ Identification of Prior Application in Which Listed Information Was Already Cited and for Which No Copies Are Submitted or Need Be Submitted
- 5. ☐ Cumulative Patents or Publications
- 6. ☐ Copies of Listed Information Items Accompanying This Statement
- 7. ☐ Concise Explanation of Non-English Language Listed Information Items
 - 7 A. ☐ EPO Search Report
 - 7 B. ☐ English Language Version of EPO Search Report
- 8. ☐ Translation(s) of Non-English Language Documents
- 9. ☒ Concise Explanation of English Language Listed Information Items(Optional)
- 10. ☒ Identification of Person(s) Making This Information Disclosure Statement

NOTE: "Once the minimum requirements are met, the examiner has an obligation to consider the information." Notice of April 20, 1992 (1138 O.G. 37-41, 37).

NOTE: An information disclosure statement shall be considered by the Office if filed by the applicant within any one of the following time periods:

- (1) Within three months of the filing date of a national application other than a continued prosecution application under § 1.53(d);*
 - (2) Within three months of the date of entry of the national stage as set forth in § 1.491 in an international application;*
 - (3) Before the mailing date of a first Office action on the merits; or*
 - (4) Before the mailing date of a first Office action after the filing of a request for continued examination under § 1.114."*
- 37 C.F.R. § 1.97(b).*

NOTE: "Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section."

37 C.F.R. § 1.56(a).

"Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or*
- (2) It refutes, or is inconsistent with, a position the applicant takes in: (i) Opposing an argument of unpatentability relied on by the Office, or (ii) Asserting an argument of patentability.*

°A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability." 37 C.F.R. § 1.56(b)

"Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) each inventor named in the application;*
- (2) each attorney or agent who prepares or prosecutes the application; and*
- (3) every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application."* 37 C.F.R. § 1.56(c).

NOTE: The "duty as described in § 1.56 will be met so long as the information in question was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98 before issuance of the patent." Notice of January 9, 1992, 1135 O.G. 13 -25 at 17.

WARNING: "No information disclosure statement may be filed in a provisional application." 37 C.F.R. § 1.51(d).



Section 9. Concise Explanation of English Language Listed Information Items (OPTIONAL)

NOTE: "Applicants may, if they wish, provide a concise explanation of why English-language information is being submitted and how it is understood to be relevant. Concise explanations are helpful to the Office, particularly where documents are lengthy and complex and applicant is aware of a section that is highly relevant to patentability or where a large number of documents are submitted and applicant is aware that one or more are highly relevant to patentability." Notice of April 20, 1992 (1138 O.G. 37-41, 38). See also § 609, M.P.E.P., 8th Edition.

The relevant documents were generated using the International Search Report for corresponding patent application No. PCT / ES 2004/ 000056.

All patents listed, Japanese Patents Nos. 8135038, 8312248 and 9088205, and Japanese Patent Application No. 2002/ 188241 are relevant to the general state of the art.

Section 10. Identification of Person(s) Making This Information Disclosure Statement

The person making this statement is:

The practitioner who signs below on the basis of the information:

(check each applicable item)

- ☐ supplied by the inventor(s).
- ☐ supplied by an individual associated with the filing and prosecution of this application. (37 C.F.R. § 1.56(c))
- ☐ in the practitioner's file.



SIGNATURE OF PRACTITIONER

Reg. No.: 30,627

Tel. No.: (713) 224-8080

Customer No.: 24106

John S. Egbert

(type or print name of practitioner)

412 Main Street, 7th Floor

P.O. Address

Houston, Texas 77002